

Special and Regular City Council Meeting August 10, 2004

Twin Pines Senior and Community Center, 1223 Ralston Avenue

SPECIAL MEETINGS

CLOSED SESSION - 6:15 P.M.

Conference with Legal Counsel, pursuant to Government Code Section 54956.9(a): Pending Litigation, One Case: 1) City of Belmont v. Brandon Gregg, Gail Gregg, and Does 1 through 10, inclusive, San Mateo County Superior Court Case No. CIV428315

Conference with Legal Counsel - Anticipated Litigation per Government Code Section 54956.9(b)

Public Employee Appointment per Government Code Section 54957 - Interim City Manager

Attended by Councilmembers Feierbach, Mathewson, Warden, Bauer, Metropulos, Assistant City Manager Rich, City Attorney Savaree, Deputy City Attorney Zaffarano (Item A only). City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:30 P.M., this Closed Session was adjourned.

This meeting not tape-recorded or videotaped.

Terri Cook

City Clerk

CALL TO ORDER 7:33 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Warden, Feierbach, Mathewson, Bauer, Metropulos

COUNCILMEMBERS ABSENT: None

Staff Present: Assistant City Manager Rich, City Attorney Savaree, Public Works Director Davis, Community Development Director Ewing, City Clerk Cook.

SPECIAL PRESENTATIONS

"State of the University" presentation by John Oblak, President, Notre Dame de Namur University

Dr. John Oblak, President, Notre Dame de Namur University (NDNU), thanked the City Council and community for the support of the current building project at the University. He stated that there will be 30 more incoming freshmen than anticipated, and there will be 500 students in residents. He noted that the University has a diverse student population. He commented that the City of Belmont/NDNU Advisory Board has had a successful year. He announced that the first new building of the Master Plan, a 206-bed residence hall, would be dedicated on August 23.

Dr. Oblak stated that he hoped the University would have a positive economic impact on the Belmont community, and noted that the campus provided a resource for arts and sports. He described the upcoming stage play "Dead Man Walking", which will be premiered on campus in October as part of the University's Center for Social Justice. He noted that the University would be studying all aspects of the death penalty. He concluded by reviewing the mission of the University.

Councilmember Feierbach encouraged people to attend the many excellent musical events held at the University.

Councilmember Warden thanked Dr. Oblak for his outreach efforts in the City of Belmont, including his role in bridging the gap that previously existed between the City and the University.

REPORT FROM CLOSED SESSION

Mayor Metropulos announced that Council gave direction on two of the Closed Session items held earlier in the evening, and that the Council took action on the third item to name Dan Rich as the Interim City Manager.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Deanna Meredith, Third Vice-President of the Belmont Chamber of Commerce, stated she was the Event Coordinator for the Chamber of Commerce's second annual Community Faire. She thanked the City, the Parks and Recreation Department and the Police Department staff for their assistance with this event, and she acknowledged a number of individuals and organizations who were instrumental in the success of the Faire. She added that the event brought the community together, and she looked forward to continuing the partnership between the City and the Chamber of Commerce. She noted that a student scholarship fund and the Center for Independence for the Disabled were the beneficiaries of the Faire.

Mayor Metropulos commented on the high quality of food, games, and entertainment at the Faire, and acknowledged Mid-Peninsula Water District for its participation as well.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Feierbach stated that the "no parking" signs along Ralston during the Community Faire were unwelcoming, and she would like to agendize this parking issue prior to the Art & Wine Festival in September.

Councilmember Warden announced that the Belmont Bowser Club would be holding an educational seminar on August 21 to teach dog owners how to utilize off-leash dog parks.

Mayor Metropulos made the following announcements:

- He spoke at a recent AARP Meeting on the City Council Priorities
- Senior Safety Day would be held on August 25
- Congratulations to Belmont's American Cancer Society's Relay-for-Life team for raising \$74,000.
- Notre Dame de Namur University would be dedicating its new dormitory on August 23, and he announced upcoming theater events at the University.
- He noted that the Annual Greek Festival would be held on Labor Day Weekend.

CONSENT CALENDAR

Approval of Minutes: Special and Regular Meeting of July 13, 2004.

Written Communications: 1) Received July 27, 2004, from US Bankruptcy Court, District of Delaware, in re AB Dick Company, Notice of Commencement of Chapter 11 proceedings.

Motion designating Voting Delegate (Councilmember Warden/Alternate City Attorney Savaree) for League of California Cities Annual Conference.

Approval of Resolution 9573 Approving the Summary Vacation of a portion of a 6-Foot Public Utility/Sewer Easement and Approving the Quitclaim of the City's Interest Related to Two 5-Foot Public Utility Easements Over and Across a Portion of Lots 20 & 21, Block 14, in the Bay View Heights Subdivision No. 2, also known as at 1549 Molitor Road (APN 045-274-380).

Approval of Resolution 9574 in Opposition to Proposition 68 (Gaming Revenue Act of 2004)

Approval of Resolution 9575 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an amount not to exceed \$362,000, and Authorizing the City Manager to Execute a Phased Contract for the Installation of Crosswalk Lights and Active School Zone Radar Signs, City Contract No. 460.

HEARINGS

Public Hearing to Consider Revisions to Sections 12.4 and 12.9 of the Belmont Zoning Code, amending the required findings for approval of Detailed Development Plans and Amendments thereto.

Principal Planner de Melo stated that the Planning Commission held a Public Hearing and has recommended adoption of this amendment to the Zoning Code. He clarified that this amendment would require a higher level of scrutiny for Detailed Development Plans in Planned Development districts.

Mayor Metropulos opened the hearing. No one came forward to speak.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Mathewson, the Public Hearing was unanimously closed by a show of hands.

Action: On a motion by Councilmember Mathewson, seconded by Councilmember Feierbach, an Ordinance approving revisions to Sections 12.4 and 12.9 of the Belmont Zoning Code, amending the required findings for approval of Detailed Development Plans and Amendments thereto was unanimously introduced by a show of hands, further reading waived, and the second reading and adoption set for September 14, 2004.

OLD BUSINESS

Special Report on the New Council Chamber.

Interim City Manager Rich stated that the Council Chambers would be a major public component of the remodeled City Hall building. He reviewed the Chamber design, and highlighted the details. He noted that there would be a raised dais, the audience seating was non-fixed, and he reviewed the audio-visual components, and noted there would be two projectors. He stated that wiring would be incorporated for future built-in cameras, and that the current contracted services for videotaping would continue. He also reviewed the structural glass wall system, and reviewed the various options from which to choose for Council, staff, and audience seating.

In response to Mayor Metropulos, Interim City Manager Rich noted that another tour opportunity could be scheduled in September.

COMMISSION, COMMITTEE UPDATES, AND STAFF ITEMS

Status Report on the Belmont/NDNU (Notre Dame de Namur University) Advisory Board.

Interim City Manager Rich stated that the Belmont/NDNU Advisory Board was created in 2003 to enhance communications between the entities. He stated that the nine-member working group met eight times during the past eighteen months, which culminated in a report to the Advisory Board in May. He outlined the key points of the report, including: marketing NDNU memorabilia, Ralston Avenue banners promoting Belmont as a University town, City recognition of student achievement, inclusion of NDNU students and faculty as participants in the Art & Wine Festival, consideration of student-oriented businesses, NDNU to work closely with the Neighborhood Association Board to share information and ideas, and encouraging residents to invite out-of-area students to their homes for dinner.

Councilmember Feierbach stated that the University considered the addition of a reader board near its entrance to promote activities. Interim City Manager Rich stated that this idea had been considered, but concern was raised regarding aesthetics and safety along the scenic corridor.

Councilmember Warden stated that he supported the use of banners, but had a concern regarding the addition of a reader board at the University. He recommended that the University make use of the Twin Pines Park Reader Board.

Council concurred to endorse the list of priorities outlined by the Advisory Board.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion regarding Internet posting of registered sex offenders map (Warden)

Councilmember Warden stated that it is difficult to access information, and there is no national database relating to Megan's Law. He noted that the City of San Carlos posts a map on its website which indicates the vicinity of residences of registered sex offender, and added that if someone desires more information, they are able to pursue the issue. He stated this tool would provide parents with information for making informed decisions about their child's neighborhood activities such as walking to school or to a park.

Police Chief Mattei stated that the Megan's Law database is updated regularly. He noted that there are 26 registered offenders in Belmont. He reviewed the current process for accessing information, and clarified that only nearby intersections are defined. City Attorney Savaree reviewed the details of the Penal Code relative to this registry, and noted that there is a difference between high risk and other offenders.

Staff confirmed this issue would take less than 20 hours to pursue, and Council concurred to direct staff to provide a future report.

ADJOURNMENT at this time, being 10:20 P.M.

Terri Cook

Belmont City Clerk

Meeting Tape Recorded and Videotaped

Tape No. 587